

## REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1-6, 9-10, 12, 14-16 and 23-25 have been amended. Claims 13, 17-22 and 26-30 have been cancelled without prejudice. Therefore, claims 1-12, 14-15, 23-25 are presented for examination.

### Claim Objection

Claim 11 stands object due to lack of antecedent basis.

Applicant respectfully submits that the term “the predetermined criteria” in claim 11 provides proper antecedent basis as it refers to the term “a predetermined criteria” of claim 10. Hence, Applicant submits the objection to claim 11 is obviated.

### 35 U.S.C. § 102 Rejection

Claims 18-20, 22, 26-28, and 30 as best understood are rejected under 35 U.S.C. §102(b) as being anticipated by Palmer, U.S. Patent No. 5,905,865 (“Palmer”).

Claims 18-20, 22, 26-28 and 30 have been cancelled without prejudice. Accordingly, the rejection of the claims is obviated.

### 35 U.S.C. § 103 Rejection

Claims 1-3, 5-9, 12-17, 21, 23 and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lu, U.S. Patent Application No. 2002/0010919 (“Lu”), in view of Palmer, U.S. Patent No. 5,905,865 (“Palmer”).

Applicant respectfully submits Lu discloses a television audience measurement system to *measure viewing of a television program viewed on digital television* located in a statistically selected site. Palmer discloses a method and apparatus for providing connecting a computer to *electronic addresses* in sync with an audio/video broadcast.

Palmer further discloses an *address transmitter to transmit an address*, such as a URL, identifying an on-line service which contains relevant information. (Abstract).

In contrast, claim 1, as amended, recites

A method, comprising:

inserting a code into a broadcast program, the code corresponding to web content,  
the web content relating to content of the broadcast program;

broadcasting the broadcast program;

detecting the code while the broadcast program is being broadcast; and

automatically displaying a website having the web content upon detection of the  
code, wherein the website is displayed simultaneously while the broadcast  
program is being broadcast.

(emphasis provided)

Lu and Palmer, neither individually nor when combined, teach or reasonably suggest inserting a code into a broadcast program, the code corresponding to web content that relates to content of the broadcast program . . . and automatically displaying a website having the web content upon detection of the code, where the website is displayed simultaneously while the broadcast program is being broadcast as recited by claim 1. Although Palmer discloses *transmitting an address*, such as a URL, that contains information about the audio or video programming and that can be used to access the on-line services (Abstract), it is not the same as automatically displaying the website having the web content upon detection of the code while the broadcast program is being broadcast upon detecting a code that is inserted into a broadcast program, wherein the code corresponds to the web content that relates to the content of the broadcast program, as recited by claim 1. Hence, Lu and Palmer, neither individually nor when combined, teach or reasonably suggest each and every element of claim 1. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 1 and its dependent claims.

Claims 5, 9, 12 and 23 contain limitations similar to those of claim 1.

Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 5, 9, 12 and 23 and their dependent claims.

### **35 U.S.C. § 103 Rejection**

Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over (“Lu”), in view of (“Palmer”), and Dunki-Jacobs, U.S. Patent No. 6,112,053 (“Dunki”).

Claim 4 depends from claim 1 and thus includes all the limitations of its base claim. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 4.

### **35 U.S.C. § 103 Rejection**

Claims 10 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over (“Lu”), in view of (“Palmer”), and Haitzuka, U.S. Patent Application No. 2005/0192867 (“Haitzuka”) and Augenbraun, U.S. Patent Application No. 2005/0149981 (“Augenbraun”).

Claims 10 and 11 depend from claim 9 and thus include all the limitations of its base claim. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 10 and 11.

### **35 U.S.C. § 103 Rejection**

Claim 25 is rejected under 35 U.S.C. §103(a) as being unpatentable over (“Lu”), in view of (“Palmer”), and (“Dunki”).

Claim 25 depends from claim 23 and thus includes all the limitations of its base claim. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 25.

### **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary.

Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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